

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----X
UNITED STATES OF AMERICA,

-against-

13-CR-660 (NGG)

DEFENDANT'S
PROPOSED VOIR DIRE
QUESTIONS

ROY NAIM,
also known as "Bill Howard",

Defendant.

-----X

The Court has asked the Parties to submit questions that it seeks to have the Court ask of prospective jurors in this case. In response, the questions set forth below are those proposed. In this regard, defendant asks to reserve the right to submit follow up questions as jury selection progresses, based upon answers that prospective jurors might have given to questions already propounded by the Court.

1. Do you know anyone who has been a victim of a sex crime, or exposed to child sexual abuse? Explain.
2. Do you have residual feelings about those circumstances? What are they? Can you set them aside and solely weigh the evidence presented in this case in rendering a verdict on the charges set before you?
3. Have you, or have any of your friends or family ever been accused of a crime? What was the outcome of the accusation? Do you have any residual feelings about that result? Would those feelings cause you to favor the government in this case?

4. Are you, or have you ever been, employed by a law enforcement agency?

Do you have friends or relatives who are, or were? Who? Where? You may be called upon to determine the credibility of law enforcement witnesses in this case. Based upon your life experience with these law enforcement employees that you know, or have known, are you capable of concluding, depending on the circumstances of course, that a law enforcement official did not tell the truth?

5. Have you, or a friend or relative, ever been the victim of a crime? Which crime? Do you have residual feelings about that? Explain those feelings. Would those feelings cause you to favor the government, or prosecution, in this case?

6. Have you ever been a witness in a case? What kind? Have you had any experience with that which would cause you to favor the prosecution in this case?

7. Have you ever served on a jury before? What type of case? Did you deliberate to verdict? Was there anything about that experience, or anything that may have been said to you afterwards by the judge or prosecutor, that leads you to favor the prosecutor in this case?

8. What is your political affiliation? Do you belong to any political organizations? If so, which ones? Have you ever advocated on behalf of any of those organizations?

9. On a scale of 1 to 10, 1 being the most liberal and 10 the most conservative, what number would you assign yourself politically? What number would you assign yourself socially?

10. Name up to 5 organizations of which you are a member?

11. Do you belong to a union?

12. What are your favorite television shows? What are your favorite movies?
13. Which news programs, if any, do you watch or listen to on a regular basis?
14. On a scale of 1 to 10, 1 being the least and 10 the most, how religious are you?
15. How often do you attend services at a house of worship?
16. Does your religious faith affect your attitude toward those who have committed criminal acts? Explain.
17. Do you or have you, or have any of your friends or family members, to your knowledge, ever watched what is commonly referred to as pornography on the internet? Explain any feelings you might have about that.
18. How do you feel about homosexuality on a scale of 1 to 10, where 1 is totally accepting and 10 is repulsed? Do you feel, as you sit there, that you can be truly honest about your answer? On the same scale, what is your attitude towards depictions of homosexual behavior? Explain.
19. Have you seen the movie Brokeback Mountain? What is your opinion of it? Explain.
20. How do you think you will react to being shown depictions of children engaged in sexual conduct? Explain? Do you think yourself capable of separating any feelings that may arise from your duty in this case to simply determine whether certain crimes occurred?
21. Do sexual photographs, movies, commercials, or other sexual depictions, make you feel uncomfortable? Explain.

22. What does it mean to you that federal agents are professional witnesses? How do you think that attitude would affect you in determining the truthfulness of their testimony?

23. Do you think that law enforcement witnesses are neutral observers? Do you think they can have an interest in the outcome of the case that might affect their testimony? Explain.

24. Do you think experts can make mistakes? Do you think experts, like anybody else, can lie?

25. What does the expression "he hears what he wants to hear" mean to you? Explain.

26. Do you agree with the statement that "people often find what they're looking for"? What does that mean to you?

27. What does it mean to you that "a person who looks only at the sky, fails to see the \$10 on the ground beneath his feet"? Explain.

28. What are your feelings about illegal immigrants, or undocumented aliens? Explain.

29. Do you favor or oppose the President's recent executive actions with respect to immigration? What is your understanding of what he did?


30. Please explain what difference you see, if any, between consuming a thing and producing a thing. Explain your answer.

31. Considering all the feeling to which these questions may have given rise, and considering what you know about the case at this point, can you honestly say that

you are capable of sitting fairly in judgment of the defendant in this case? Would you rather not serve because you are not sure that you can be fair?

Dated: November 26, 2014
Mineola, New York

Respectfully submitted

Michael L. Soshnick: 

Michael L. Soshnick
Counsel for Roy Naim
190 Willis Avenue
Suite 112
Mineola, New York 11501
(516) 294-1111

cc: Clerk of the Court (NGG) (by ECF)
AUSA Saritha Komatireddy (by ECF)